

**REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON,  
NEW YORK HELD ON MONDAY AUGUST 18, 2003 AT 7:00 P.M. VILLAGE HALL, 85 MAIN STREET,  
IRVINGTON, NEW YORK.**

Present:       Dennis P. Flood, Mayor  
                  Garrard R. Beeney, Trustee  
                  Richard J. Livingston, Trustee  
                  Stephen A. McCabe, Village Administrator  
                  Louis Grieco, Police Chief  
                  Lino Sciarretta, Village Attorney's Office  
                  Lawrence S. Schopfer, Clerk-Treasurer  
                  Gregory R. Nilsson, Superintendent of Public Works

Mayor Flood called the meeting to order. Trustee Livingston made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Beeney and unanimously approved.

Upon reconvening after executive session, the regular meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood welcomed Congresswoman Nita Lowey, who proceeded to make some brief remarks to those in attendance.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. There were no comments from those in attendance.

Mayor Flood read correspondence from Mary and Tom Farrell.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED to designate the Irvington Board of Trustees as lead agency with respect to a State Environmental Quality Review Act review of an environmental assessment form regarding proposed amendments to the zoning code regarding frontage.

Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED that after careful review of the environmental assessment form, it is the determination of the Village Board of Trustees that the adoption of the proposed amendments to the zoning code regarding frontage will have no negative impacts on the environment. Accordingly, a negative declaration will be prepared and filed in the office of the Village Clerk.

Trustee Livingston seconded the motion and it was unanimously approved.

Mayor Flood opened a public hearing regarding proposed amendments to the zoning code regarding frontage.

Trustee Beeney made a motion to close the public hearing. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Livingston made a motion to adopt the proposed amendments to the zoning code regarding frontage as presented. Trustee Beeney seconded the motion and it was unanimously approved.

All matters pertaining to the proposed amendment of the zoning code intended to encourage below market rate housing were deferred pending a re-write of the proposed legislation.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED to designate the Irvington Board of Trustees as lead agency with respect to a State Environmental Quality Review Act review of an environmental assessment form regarding proposed amendments to the zoning code regarding time limits for certain permits and approvals.

Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED that after careful review of the environmental assessment form, it is the determination of the Village Board of Trustees that the adoption of the proposed amendments to the zoning code regarding time limits for certain permits and approvals will have no negative impacts on the environment. Accordingly, a negative declaration will be prepared and filed in the office of the Village Clerk.

Trustee Livingston seconded the motion and it was unanimously approved.

Mayor Flood opened a public hearing regarding proposed amendments to the zoning code regarding time limits for certain permits and approvals.

Trustee Beeney made a motion to close the public hearing. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Livingston made a motion to adopt the proposed amendments to the zoning code regarding time limits for certain permits and approvals as presented. Trustee Beeney seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED to designate the Irvington Board of Trustees as lead agency with respect to a State Environmental Quality Review Act review of an environmental assessment form regarding proposed amendments to the Village code regarding development fees.

Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED that after careful review of the environmental assessment form, it is the determination of the Village Board of Trustees that the adoption of the proposed amendments to the Village code regarding development fees will have no negative impacts on the environment. Accordingly, a negative declaration will be prepared and filed in the office of the Village Clerk.

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Trustee Livingston seconded the motion and it was unanimously approved.

Mayor Flood opened a public hearing regarding proposed amendments to the Village code regarding development fees.

Trustee Beeney made a motion to close the public hearing. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Livingston made a motion to adopt the proposed amendments to the Village code regarding development fees as presented. Trustee Beeney seconded the motion and it was unanimously approved.

Mayor Flood opened a public hearing regarding a proposed amendment to the Village code regarding the creation of a centralized fee schedule. He provided some background on the proposed amendment. After some discussion, Trustee Beeney made a motion to close the public hearing. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the proposed amendments to the Village code regarding the creation of a centralized fee schedule as presented. Trustee Livingston seconded the motion and it was unanimously approved.

Mayor Flood announced that a public hearing would be held on September 15, 2003 regarding a proposed amendment to the Village's view preservation law.

Mayor Flood provided background on the proposed agreement between the Irvington Union Free School District, the Fieldpoint Homeowners Association, Inc. and the Village of Irvington with respect to the use of, and regulations regarding, Fieldpoint Drive. After some discussion, Trustee Beeney made a motion to approve the agreement as presented and authorize Mayor Flood to execute the agreement. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to authorize the retention of Paul Petretti, Civil Engineer and Tim Miller Associates, Environmental Consultant to work with the Village Attorney's office on the Westchester County / Village closing regarding the Westwood property acquisition. The hourly rates to be charged by each consultant are as follows:

Petretti

Paul J. Petretti \$125/hr.

2 man survey crew \$130/hr.

3 man survey crew \$140/hr.

Office, ACAD plan preparation \$65/hr.

Tim Miller Associates

Principal \$160/hr.

Sr. traffic/air-noise engineer \$85-\$110/hr.

Sr. geologist/ecologist \$85-\$110/hr.

Senior planner \$85-\$110/hr.

Graphics/production \$50-\$70/hr.

Technicians \$40-\$45/hr.

Trustee Livingston seconded the motion and it was unanimously approved.

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Clerk-Treasurer Lawrence Schopfer introduced a proposed tax grievance settlement for 100 South Broadway owned by Niemczyk. After some discussion, Trustee Livingston made a motion to approve the proposed settlement as follows:

<u>Year</u>	<u>Assessment</u>	<u>Reduced Assessment</u>	<u>Reduction</u>
2000	183,550	141,550	42,000
2001	141,550	141,550	0
2002	141,550	141,550	0
2003	141,550	125,000	16,550

The motion also included the authorization to make refund payments of \$5,633.46 for 2000 and \$2,758.06 for 2003 and to make the following 2003/04 budget modifications:

Reduce Property Tax Revenue 1-1-1001 \$2,759  
Reduce Contingency 1-1990-465 \$2,759

From Contingency 1-1990-465 \$5,634  
To Certiorari 1-1964-462 \$5,634

Trustee Beeney seconded the motion and it was unanimously approved.

Clerk-Treasurer reported on the results of a bid opening for the repair and resurfacing of the Memorial Park tennis courts (project #2003-04). After some discussion, Trustee Livingston made a motion to award the bid to the low bidder Derosa Tennis Contractors, Inc. in the base amount of \$55,000 with an alternate of \$15,200 additional. Trustee Beeney seconded the motion and it was unanimously approved.

Trustee Livingston reported on the recent Architectural Review Board meeting and some requests from the Environmental Conservation Board. He also reported on the activities of the G.U.A.R.D. committee.

Trustee Beeney thanked the Police and Fire Departments for their role in keeping order during the blackout. He also reported on other Police Department matters including the upcoming Multiple Sclerosis swim across the Hudson River, firearms training, and the discussions regarding a traffic light at Dows Lane.

Village Administrator Stephen McCabe reported on the Department of Public Works including catch basin cleanout and the sidewalk reconstruction project.

Clerk-Treasurer Lawrence Schopfer requested 3 change orders to the Kayak Ramp project #2003-01 contract with Peter J. Landi, Inc. as follows: Change Order #1 (bench installation) \$5,520. Change Order #2 (maintenance yard in Scenic Hudson Park) \$8,800. Change Order #3 (extension of ramp) \$4,400. Trustee Beeney made a motion to approve the changes to the contract as presented. Trustee Livingston seconded the motion and it was unanimously approved.

Clerk-Treasurer Lawrence Schopfer requested a change order (#2) to the sidewalk reconstruction contract (project #2003-03) awarded to Peter J. Landi in the amount of \$8,562 for additional work performed. Trustee Beeney made a motion to approve change order #2 to the contract as presented. Trustee Livingston seconded the motion and it was unanimously approved.

Clerk-Treasurer reported on the status of the records management program and the recent grant received for 2003/04 in the amount of \$10,000.

Trustee Livingston made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Beeney and unanimously approved.

Upon reconvening after executive session, Trustee Livingston made a motion to approve the following appointments:

<u>Name</u>	<u>Position</u>	<u>Annual Salary</u>	<u>Effective Date</u>
Michael Morano	Police Sergeant	\$79,140	Sept. 4, 2003
Ida DiBianco	Intermediate Typist	\$36,422	August 18, 2003

Trustee Beeney seconded the motion and it was unanimously approved.

There being no further business the meeting was adjourned.

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Lawrence S. Schopfer, Clerk-Treasurer

Attachments